

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
FIRST STATE TRUST COMPANY,	)	
as trustee of the HOWARD A. ACHESON	)	
TRUST FBO MICHAEL H. ACHESON UTA	)	
MAY 5, 1973, a trust under Delaware law,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.
	)	
WILLIAM F. WELD	)	
	)	
Defendant.	)	
_____	)	

**COMPLAINT TO REGISTER A FOREIGN JUDGMENT  
UNDER 28 U.S.C. § 1963**

This is an action to register a foreign judgment obtained on January 12, 2022 by the Plaintiff First State Trust Company, as trustee of the Howard A. Acheson Trust FBO Michael H. Acheson UTA May 5, 1973 (the “Trust”), against Defendant William F. Weld.

**PARTIES**

1. The Trust is a trust under Delaware law with its principal place of business located in Wilmington, Delaware and is organized for the benefit of Michael H. Acheson, who is a Michigan resident and citizen.
2. First State Trust Company (“Trustee”) is the trustee of the Trust. It is a Delaware corporation with its principal place of business and headquarters in Delaware.
3. Defendant William F. Weld is an individual who resides in Canton, Massachusetts and is a resident and citizen of Massachusetts.

### **JURISDICTION AND VENUE**

4. This Court has diversity jurisdiction pursuant to 28 U.S.C. §1332 in that this action is between citizens of different states and seeks damages in excess of \$75,000.

5. This Court has jurisdiction to register the judgment pursuant to 28 U.S.C. §1963.

### **FACTUAL BACKGROUND**

6. On February 5, 2019, the Trust and Weld entered into a Promissory Note under which the Trust agreed to lend Weld the principal amount of two million dollars (\$2,000,000).

7. The Trust did in fact lend Weld the principal amount of \$2,000,000 and the Trust otherwise fully performed its obligations under the Promissory Note.

8. Under the Promissory Note, Weld agreed to pay the Trust the principal sum of \$2,000,000 together with all accrued interest at the designated rate of twelve percent (12%) per annum “immediately due and payable” on February 5, 2020.

9. Weld failed to perform his obligations under the Promissory Note by failing to make payments of principal and interest as required under the terms of the Promissory Note.

10. On June 18, 2020, the Trust filed a Complaint against Weld in the United States District Court for the Eastern District of Michigan, Southern Division, asserting a claim for Breach of Promissory Note (“Michigan Litigation”).

11. On September 9, 2020, Weld filed an Answer, Affirmative Defense, and Counterclaim.

12. The Parties subsequently entered into a Settlement Agreement dated February 17, 2021.

13. A Consent Judgment was entered in the Michigan Litigation on February 19, 2021 whereby judgment entered in favor of the Trust against Weld in the amount of \$2,257,923.50. *See* Consent Judgment with Exemplification Certificate from the U.S. Dist. Ct. E.D. Mich., collectively attached as Exhibit 1.

14. On January 12, 2022, the Parties agreed to amend the Settlement Agreement that was previously incorporated into the Consent Judgment entered by the Court in the Michigan Litigation. The Parties agreed that, except as modified by the Amendment, the Consent Judgment entered by the Court remains in full force and effect and the balance due under the Consent Judgment as of January 1, 2022 is \$2,027,924. *See* Notice of Amendment to the Parties' Settlement Agreement with Exemplification Certificate from the U.S. Dist. Ct. E.D. Mich., collectively attached as Exhibit 2.

15. On May 10, 2023, the Parties agreed to, once again, amend the Settlement Agreement and filed a Notice of Second Amendment to the Parties' Settlement Agreement. The Parties agreed that, except as modified by the Second Amendment, the Consent Judgment entered by the Court remains in full force and effect and the balance due under the Consent Judgment as of December 31, 2022 is \$2,02,910.69. *See* Certified Copy of Notice of Second Amendment to the Parties' Settlement Agreement, attached as Exhibit 3.

**REQUEST FOR REGISTRATION OF CONSENT JUDGMENT**

16. Plaintiff hereby requests that this Court register the judgment entered in favor of the Trust and against Weld on January 12, 2022 so that Plaintiff can proceed

with enforcement of such judgment in this district. In support of this request, Plaintiff attaches as Exhibit 4 the *Clerk's Certification of a Judgment to be Registered in Another District*.

WHEREFORE, Plaintiff First State Trust Company, as trustee of the Howard A. Acheson Trust FBO Michael H. Acheson UTA May 5, 1973, hereby requests an ORDER registering the judgment entered against the Defendant William F. Weld on January 12, 2022 [Exhibit 4] so that Plaintiff can proceed with enforcement actions in this district.

Respectfully submitted, by the Plaintiff

FIRST STATE TRUST COMPANY,  
as trustee of the HOWARD A. ACHESON  
TRUST FBO MICHAEL H. ACHESON UTA  
MAY 5, 1973, a trust under Delaware law,

By its attorneys,

/s/ Alexander Furey

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Dated: January 21, 2025

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on January 21, 2025, this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via first class mail, postage prepaid, to those indicated as non-registered participants.

/s/ Alexander Furey

Alexander Furey

